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November 6, 2023

VIA ECF AND HAND DELIVERY

Hon. Naomi Reice Buchwald  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**RE: LoanStreet Inc. et al v. Troia**  
**1:21-cv-06166-NRB (S.D.N.Y.)**

Dear Hon. Buchwald:

We represent Plaintiffs LoanStreet Inc. and Ian Lampl in the above-captioned matter. We write in response to the Court's letter dated October 23, 2023. (ECF No. 75.) Plaintiffs are amenable to mediating the outstanding issues in this case with a magistrate judge and communicated as much to Defendant's newly appointed counsel (*see* ECF No. 76) during discussions on October 26 and November 2, 2023. Plaintiffs' understanding from Defendant's counsel is that Defendant is currently uninterested in exploring settlement options. Nevertheless, Plaintiffs believe a mediation would be highly productive now, and, to the extent the Court is willing to order mediation, Plaintiffs respectfully request such an order from the Court. *See* Local Civil Rule 83.9(d).

Should the Court decline to order mediation, or, alternatively, should a mediation take place but fail to achieve a resolution, the parties jointly propose that the Court set a date at its convenience for an initial pretrial conference, that the parties engage in a Rule 26(f) conference in advance of that conference to define the scope of discovery and so that discovery may commence, and that the parties file a discovery plan and proposed schedule prior to the pretrial conference.



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Respectfully Submitted,

*/s/ Christopher M. Gerson*

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cc: Counsel of Record (via ECF)